

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 50849

STATE OF IDAHO,)
) Filed: August 6, 2024
Plaintiff-Respondent,)
) Melanie Gagnepain, Clerk
v.)
) THIS IS AN UNPUBLISHED
STEPHANIE DANIELLE BRADEN,) OPINION AND SHALL NOT
) BE CITED AS AUTHORITY
Defendant-Appellant.)
_____)

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Steven J. Hippler, District Judge.

Order revoking probation and ordering execution of sentence without reduction, affirmed.

Erik R. Lehtinen, State Appellate Public Defender; Brian R. Dickson, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Raúl R. Labrador, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

Before GRATTON, Chief Judge; HUSKEY, Judge;
and TRIBE, Judge

PER CURIAM

Stephanie Danielle Braden pled guilty to felony driving under the influence (DUI). Idaho Code §§ 18-8004, -8005(6). In exchange for her guilty plea, an additional charge was dismissed. The district court imposed a unified sentence of eight years, with a minimum period of confinement of two years, but after a period of retained jurisdiction, suspended the sentence and placed Braden on probation. Subsequently, Braden admitted to violating the terms of probation. The district court revoked probation, executed the previously imposed sentence, and again retained jurisdiction. After the period of retained jurisdiction, the district court suspended Braden’s sentence and placed her back on probation. The State filed another probation violation. At the

probation revocation hearing, Braden admitted to violating the terms of probation. Braden made a verbal motion for reduction of sentence requesting that the remainder of her sentence be commuted. However, the district court denied the request, revoked probation and executed the previously suspended sentence. On appeal, Braden argues the district court abused its discretion by not reducing or commuting her sentence when it revoked her probation.

The district court has inherent power to reduce a sentence during a term of probation. *State v. Brown*, 170 Idaho 439, 446, 511 P.3d 859, 866 (2022). A request for reduction of sentence is addressed to the sound discretion of the district court. When a trial court's discretionary decision is reviewed on appeal, the appellate court conducts a multi-tiered inquiry to determine whether the trial court: (1) correctly perceived the issue as one of discretion; (2) acted within the boundaries of such discretion; (3) acted consistently with any legal standards applicable to the specific choices before it; and (4) reached its decision by an exercise of reason. *State v. Herrera*, 164 Idaho 261, 270, 429 P.3d 149, 158 (2018).

Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion in denying the verbal motion for reduction of sentence. Therefore, the district court's order for execution of Braden's sentence without reduction, is affirmed.